

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-53 are pending, Claims 1, 2, 4, 8, 11, and 15 having been amended by way of the present amendment, and Claims 35-53 having previously been withdrawn from consideration.

In the outstanding Office Action Claims 1, 2, 4, 8, 11 and 15 were rejected under 35 U.S.C. § 112, second paragraph; Claims 1-19, 21-28 and 30-34 were rejected as being anticipated by Bhukhanawala (U.S. Patent No. 5,831,617); and Claims 20 and 29 were rejected over the combination of Bhukhanawala in view of Gupta et al. (U.S. Patent No. 6,546,405).

In reply, Claims 1-2, 4, 8, 11 and 15 have been amended to address the rejection under 35 U.S.C. § 112, second paragraph. It is believed these amended claims do comply with 35 U.S.C. § 112, second paragraph. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned so that mutually agreeable claim language may be identified.

Claim 1 has been amended to more clearly distinguish a pre-set processing unit (or “electronic label”) from the “movie icon” of Bhukhanawala. Moreover, Claim 1 has been amended to describe the pre-set processing unit as being an electronic label (see specification beginning at page 34 regarding the label software) that is configured to be displayed as a graphical image on display (see e.g., Figure 27). The pre-set processing unit is also configured to have displayed thereon user selectable object information (having different attributes and time information) associated therewith (see e.g., Figure 28 for example). The object information is displayed within the label when the label is displayed (see e.g., Figures 28 and 32 as an example). Claim 1 also includes a regenerating means for regenerating a

state of the pre-set processing unit associated with a predetermined date and time based on the time information. This state of the pre-set processing unit is indicative of what object information is associated with the pre-set processing unit as a function of time.

An advantageous feature of the present invention is that it allows an end user to use the desktop of a graphical user interface as a location in which to “stick” different notes and reminders of the user’s choosing. The user may “cut and paste” different object information onto the label to serve as a reminder to the user. The timing information is relevant because the state of a particular label may change, based on the need for that user to react to the content in the label at a predetermined time.

The rejection of Claim 1 is based on Bhukhanawala. Bhukhanawala is directed to a device that provides the “feel” for temporal relations of icons (column 1, lines 42-43). By including different files in a “movie icon” the temporal order of different variations of the icon may be viewed. In this way, the user when looking for older or newer versions of the file can “rewind” or “forward” the movie icon by a specified amount of time (column 2, lines 25-28). The user creates the movie icon by filing different versions of the file using the “save as” feature of an image editing program (column 6, lines 16-18).

In contrast to Bhukhanawala, the present invention is directed to pre-set processing unit that serves as an electronic label. The pre-set processing unit (label) is configured to have a user-selectable object information having different attributes and time information associated therewith. Thus, the pre-set processing unit serves as an electronic label where the user populates the label with particular object information and associates time information with the label. The label may serve as a reminder to the end user. The label occurs on the display, according to the regenerating means of Claim 1, at a predetermined time. In contrast, Bhukhanawala provides the movie icon as a way for a user to use a browser to view different versions of a file. Bhukhanawala does not include an ability to have user-selected

object information appear as a label at a particular time. Rather, Bhukhanawala, requires user interaction for the user to select a movie icon and “scroll” through the different versions of a particular file. Thus, the movie icons in Bhukhanawala does not serve as displayed electronic labels that remind the user about matters. Accordingly, it is respectfully submitted that Bhukhanawala neither teaches nor suggests the pre-set processing unit as defined by amended Claim 1, nor the regenerating means for regenerating the pre-set processing unit. Thus, it is respectfully submitted that Claim 1 patentably defines over the asserted prior art. Although Claims 2-19, 21-28 and 30-34, are of differing statutory class and/or scope, it is believed that these claims also patentably define over Bhukhanawala for at least the same reasons regarding amended Claim 1.

Claims 20 and 29 are rejected as being unpatentable over Bhukhanawala in view of Gupta. Gupta is asserted for its user of a common control button to include various functions. However, even if Gupta does disclose this feature, this feature is not sufficient to cure the deficiencies with regard to Bhukhanawala in view of the argument given above with regard to amended Claim 1. Accordingly, no matter how Bhukhanawala is combined with Gupta, the combination does not teach or suggest the invention of Claims 20 and 29.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-34, as amended, is definite and patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
BDL:aif